



**PROPOSED RULE MAKING  
(RCW 34.05.320)**

**CR-102 (7/22/01)**  
**Do NOT use for expedited  
rule making**

Agency: Department of Agriculture

- ☒ Pre-proposal Statement of Inquiry was filed as WSR 04-01-183; or  
☐ Expedited Rule Making -- Proposed notice was filed as WSR \_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice  
☐ Supplemental Notice  
to WSR \_\_\_\_  
☐ Continuance of WSR \_\_\_\_

(a) Title of rule: (Describe Subject) WAC 16-302-385 Grass seed standards for certification

Purpose: The proposed amendments are in response to an industry request to modify the certification standards for Thickspike wheatgrass to allow up to 10% Slender wheatgrass for the certified class in the variety Critana.

Other identifying information:

(b) Statutory authority for adoption: Chapter 34.05 RCW, RCW 15.49.310, and RCW 15.49.370 (3)

Statute being implemented: RCW 15.49.310

(c) Summary: WSDA proposes amending WAC 16-302-385 to increase the amount of Slender wheatgrass that is allowed in the certified class of Critana Thickspike wheatgrass.

Reasons supporting proposal: The proposed changes in the certification standards are necessary to bring Washington standards in line with other western states, which will provide an equal marketing climate for Washington grass seed producers.

(d) Name of Agency Personnel Responsible for:

Office Location

Telephone

1. Drafting..... Victor Shaul, Operations Manager

Yakima

509-225-2630

2. Implementation..... Victor Shaul, Operations Manager

Yakima

509-225-2630

3. Enforcement..... Victor Shaul, Operations Manager

Yakima

509-225-2630

(e) Name of proponent (person or organization):

Washington State Department of Agriculture

- ☐ Private  
☐ Public  
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters: N/A

(g) Is rule necessary because of:

- Federal Law? ☐ Yes ☒ No If yes, ATTACH COPY OF TEXT  
Federal Court Decision? ☐ Yes ☒ No Citation:  
State Court Decision? ☐ Yes ☒ No

(h) HEARING LOCATION:

Washington State Department of Agriculture  
21 North First Avenue  
Suite 103 Conference Room  
Yakima, WA 98902

Date: March 23, 2004 Time: 11:00 a.m.

Assistance for persons with disabilities: Contact  
Virginia Walsh by March 16, 2004

TDD (360) 902-1996 or (360) 902-1976

Submit written comments to:

George Huffman, Rules Coordinator  
P.O. Box 42560  
Olympia, WA 98504-2560  
FAX: (360) 902-2085 By (date): 5:00 p.m. March 23, 2004

DATE OF INTENDED ADOPTION: March 31, 2004

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON

FILED  
February 18, 2004

NAME (TYPE OR PRINT)

Robert W. Gore

SIGNATURE

TIME: 10:23 AM

TITLE

Assistant Director

DATE

February 18, 2004

WSR: 04-05-120

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed amendments to WAC16-302-385 Grass seed standards for certification are intended to increase the amount of Slender Wheatgrass allowed in the certified class of Critana Thickspike wheatgrass to 10%. This will bring Washington's certification standard for this factor in line with certification standards of other western states. The anticipated effect of this rule change is that Washington seed producers will have the same certification standards as seed producers in other states, which will allow for the competitive marketing of Washington produced grass seed.

Does proposal change existing rules?

☒ Yes ☐ No

If yes, describe changes:

The proposal modifies the language in WAC 16-302-385 to allow 10% Slender wheatgrass in the certified class of Critana Thickspike wheatgrass.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

telephoning: (     )

faxing: (     )

☒ No. Explain why no statement was prepared

WSDA has concluded that the proposed amendments do not impose any new costs on business, therefore, a formal SBEIS as discussed in chapter 19.85 RCW is not required. There are no additional paperwork or reporting requirements associated with this proposal.

(l) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain: The Washington State Department of Agriculture is not a listed agency in RCW 34.05.328(5)(a)(i).